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WELLS FARGO BANK, N.A. (sued as "Wells Fargo Bank")

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

PATRICK PIERCE,

Case No. CV 08 1554 JF

Plaintiff,

V.

WELLS FARGO BANK, and Does 1-10,  
inclusive.

Defendant.

**DECLARATION OF GREG J.  
RICHARDSON IN SUPPORT OF  
DEFENDANT WELLS FARGO  
BANK, N.A.'S MEMORANDUM OF  
POINTS AND AUTHORITIES IN  
OPPOSITION TO PLAINTIFF'S  
MOTION FOR REMAND**

Date: June 27, 2008  
Time: 9:00 a.m.  
Courtroom: 3, Fifth Floor  
The Honorable Jeremy Fogel

1 I, Greg J. Richardson, declare and state:

2 1. I am an attorney in the law firm of Orrick, Herrington & Sutcliffe LLP, and one of  
3 the attorneys representing Defendant Wells Fargo Bank, N.A. ("Defendant") in the above-  
4 captioned case.

5 2. Attached as Exhibit 1 hereto is a true and correct copy of the Greater Bay Bancorp  
6 Change In Control Pay Plan I Amended and Restated Effective September 28, 2007 ("CIC Plan").  
7 The CIC Plan is referenced in the complaint filed by Plaintiff Patrick Pierce ("Plaintiff") in this action  
8 but is not attached to it.

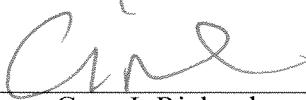
9 3. Attached as Exhibit 2 hereto is a true and correct copy of a letter dated April 24,  
10 2008 to Patrick Pierce from Shelly L. Johnson on behalf of the Plan Administrator.

11 4. The documents attached as Exhibits 1 and 2 hereto are true and correct copies of  
12 records that are maintained by my firm in the regular course of business.

13 All of the facts set forth herein are based on my personal knowledge and/or my  
14 examination of records that are kept by my firm in the regular course of business. If called as a  
15 witness, I could testify competently thereto.

16 I declare under penalty of perjury under the laws of the United States of America and the  
17 State of California that the foregoing is true and correct.

18 Executed in San Francisco, California on June 6, 2008.

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20 \_\_\_\_\_  
21 Greg J. Richardson  
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